

ENTERED

July 05, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONLADDY CURTIS VALENTINE, *et al*,

Plaintiffs,

VS.

BRYAN COLLIER, *et al*,

Defendants.

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CIVIL ACTION NO. 4:20-CV-1115

ORDER

Pending before the Court are Defendants' Emergency Motion for Leave to Depose Incarcerated Persons (Doc. No. 177), and Plaintiffs' Emergency Motion for Protective Order and to Quash Depositions (Doc. No. 178). In their Motion for Leave to Depose, Defendants seek leave to depose five incarcerated class members tomorrow, Monday, July 5, 2020. (Doc. No. 177, at 1). Plaintiffs do not oppose Defendants' request to depose these five individuals. *Id.* at 2.

In their Motion for Protective Order, Plaintiffs state that Defendants have noticed a total of eleven additional inmate depositions, beyond the depositions Defendants have already taken of the two named Plaintiffs. (Doc. No. 178, at 1; Doc. No. 178-1, at 2). At the last hearing, on July 1, 2020, the Court granted Defendants' counsel's request for three additional inmate depositions per class/subclass. Because there is one general class and one high-risk subclass, the Court therefore granted six additional inmate depositions. Thus, Plaintiffs' Motion for Protective Order and to Quash Depositions is hereby **GRANTED**. Defendants may take up to six additional depositions of class members without seeking leave from this Court. Defendants' Motion for Leave to Depose is hereby **GRANTED**, but Defendants may file an amended Motion if they wish to depose a different set of class members, given the contents of this Order.

IT IS SO ORDERED.

SIGNED at Houston, Texas on this the 5th day of July, 2020.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive style with a large initial "K" and a stylized "E".

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE